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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/750,259

12/31/2003

Theodore Z. Schoenborn

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07/03/2006

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EXAMINER

RAYMOND, EDWARD

ART UNIT

PAPER NUMBER

2857

DATE MAILED: 07/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/750,259

Applicant(s)

SCHOENBORN, THEODORE Z.

Examiner

Edward Raymond

Art Unit

2857

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 9, 10, 12-18, 20-27, 30 and 31 is/are rejected.
- 7) ☒ Claim(s) 5-8, 11, 19, 28, 29 and 32 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1-4, 9, 10, 12-18, 20-27, 30 and 31** are rejected under 35 U.S.C. 102(b) as being anticipated by Rostoker et al.

Rostoker et al. teach a chip (Claims 1, 15, 20 and 24: see col. 4, lines 37-42) comprising: transmitters to provide transmit signals to chip interfaces (Claims 1, 15, 20 and 24: see col. 5, lines 17-20); voltage control circuitry to control voltages of the transmit signals (Claims 1, 15, 20 and 24: see Figure 7: Programmable Voltage Source 712 and also Figure 1: Speed Adjustment Control Circuit: The Examiner notes that the frequency is a function of the voltage and is used to control the proper interface timing); receivers to receive external signals from another chip (Claims 1, 15, 20 and 24: see col. 11, lines 54-58); and evaluation circuitry to determine whether the transmit signals were usable by the other chip based on an evaluation of at least one of the received external signals and to provide a usability indicating signal to the voltage control circuitry indicative of whether the transmit signals were usable by the other chip (Claims 1, 15, 20 and 24: see Figure 8: Monitoring and Control 814: The Examiner notes that this is equivalent to the evaluation circuitry).

Rostoker et al. teach a chip wherein if the usability indicating signal indicates the transmit signals were usable by the other chip the voltage control circuitry lowers voltages of subsequent transmit signals (Claims 2, 12-14 16, 21 and 25: see col. 12, lines 56-63).

Rostocker et al. teach a chip wherein if the usability indicating signal indicates the transmit signals were not usable by the other chip, the voltage control circuitry raises voltages of subsequent transmit signals to voltages of previous transmit signals that were determined to be usable by the other chip (Claims 3, 12-14, 17, 22 and 26: see col. 12, lines 56-63: The Examiner notes that if the voltage is determined to be out of range the circuitry will calibrate the levels up or down based on the predetermined threshold).

Rostoker et al. teach a chip wherein the evaluation circuitry and the voltage control circuitry operate to find a lowest available usable voltage for the voltages of the transmit signals (Claims 4, 18, 23 and 27: see col. 12, lines 56-63: The Examiner notes that the calibration circuit determines the lowest available voltage from the predetermined threshold).

Rostoker et al. teach a chip wherein the evaluation is done during an initialization mode and then not repeated until another initialization (Claims 9 and 30: see col. 3, lines 21-34).

Rostoker et al. teach a chip wherein the evaluation is done during an initialization mode and the initialization mode can be entered by the chip being first given power (Claims 10 and 31: see col. 3, lines 21-34).

Allowable Subject Matter

3. **Claims 5-8, 11, 19, 28, 29 and 32** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

4. Applicant's arguments filed June 9, 2006 have been fully considered but they are not persuasive. Applicant's argument that Rostoker et al. do not teach controlling the voltage of the transmitted signal is not persuasive. The Examiner notes that integral to control a voltage, AC in particular, requires that the frequency is a function of the voltage.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Contact Information

Art Unit: 2857

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward Raymond whose telephone number is 571-272-2221. The examiner can normally be reached on M-F 8:30-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc Hoff can be reached on 571-272-2216. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Edward Raymond
Primary Examiner
Art Unit 2857

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